

COMMITTEE ON LANDS AND BUILDINGS

June 27, 2006

5:15 PM

Chairman Thibault called the meeting to order.

The Clerk called the roll.

Present: Aldermen Thibault, Smith, Forest, Roy, Long

Messrs.: Dennis Anctil, Tom Arnold, Paul Borek, Robert MacKenzie

Chairman Thibault addressed item 3 of the agenda:

3. Communication from Leo Bernier, City Clerk, seeking approval for the creation of a mural from the first through the third floor and from floor to ceiling along the main staircase of City Hall Complex.

Alderman Smith voted to approve the creation of a mural in City Hall Complex as proposed. Alderman Long duly seconded the motion.

Alderman Roy stated this will probably pass with no problem but I have concerns regarding the mural extending three floors...the hurriedness and the quality...so I will be voting in the negative.

Chairman Thibault called for a vote on the motion. The motion carried with Alderman Roy duly recorded in opposition.

Chairman Thibault addressed item 4 of the agenda:

4. Communication from Susan Strickler, Director of the Currier Museum of Art requesting an easement be granted to encroach onto the Beech and Prospects Streets right-of-ways as part of their expansion program.

Alderman Long moved to approve the request of an easement be granted. Alderman Roy duly seconded the motion. There being none opposed, the motion carried.

Chairman Thibault addressed item 5 of the agenda:

5. Communication from Attorney Emile Bussiere, Jr. on behalf of Donald and Nancy Pouliot's request to purchase city-owned land located on Chenette Avenue (Map 372, Lot 10A).

Assessors – Range of value \$4,150

Planning – deemed surplus to City needs and disposed of through public sale. (Note: if sale to Pouliot's is appropriate recommending a condition to the sale requiring that Lot 10A with 600 s.f. be merged with abutting Lot 10 with 3,054 s.f.)

Tax Collector – no objection to disposition of property.

Alderman Smith moved to approve the request to purchase city-owned land located on Chenette Avenue (Map 372, Lot 10A); finding the property surplus to city needs to be sold at a price of \$4,150 subject to merging Lot 10A with Lot 10. Alderman Roy duly seconded the motion. There being none opposed the motion carried.

Chairman Thibault addressed item 6 of the agenda:

6. Communication from Arthur Sullivan, Brady Sullivan Properties, requesting consideration of the relinquishment of acquired air rights to the Jefferson Mill's Annex Parking Lot and an amendment of the utility easement regarding the repair of the city-owned storm drain line.

Alderman Roy moved for discussion. Alderman Long duly seconded the motion.

Chairman Thibault asked Bob would you like to bring us up-to-date a little bit on that.

Mr. Robert MacKenzie, Director of Planning and Community Development, stated just a little bit of history as to why we even have air rights there. It was roughly ten years ago that the city was encouraging a Small Business Incubator that we put together with Southern NH University that we were seeking reduced rent in that building. They had some needs to keep afloat basically a working elevator and a roof so the city did acquire federal funds and put money into that and it was primarily to make sure that the Incubator was going to have a place roughly 24,000 square feet. But, as part of that at that time the current building owner was hoping to renovate the mills but he didn't have any capital to do so. So, kind of in

exchange for that the city acquired air rights for parking over what is now just basically a whole round. Relatively recently we...the city, the Public Works Department...did a review of whether we could put a parking garage there and basically the conclusion was that we could not put a parking garage there just because the footprint is so small. I know the applicant has met with Paul Borek and myself...they would like to put a parking deck, they have roughly 80,000 square feet in the building that they cannot rent so they are willing to invest the money in a parking deck to make about 70 spaces and I know it's roughly a \$1.5 million project.

Chairman Thibault asked what's your felling on that, Bob. Is that an appropriate thing for us to do?

Mr. MacKenzie replied I think so. In exchange they're willing to grant us something we don't have which is future rights to a Riverwalk if the city would like to put a Riverwalk along the Merrimack River. I also think that given that we can't put a garage there the city's not likely to put just a parking deck because it's very expensive per parking space. And, if they would like to get going rapidly...if they do that becomes taxable and they can rent up more space that's taxable.

Chairman Thibault stated I think that's a great thing. Any questions from Committee members?

Alderman Roy stated the CDBG money that was used in 1997 is that being repaid or is that grant money.

Mr. MacKenzie stated that was in essence grant money. They did have the Incubator at reduced rates in there for about eight years. I believe we would consider that in essence paid off. It was not a direct loan situation and it was not exactly collateral but it was some recognition that the city invested in the building.

Chairman Thibault stated so the city would not be liable to any there.

Mr. MacKenzie stated the city would not have to pay back the federal funds... there was actually two grant sources...Enterprise Community and CDBG.

Alderman Roy stated so at this time there is no outstanding loans, no outstanding payments to the city, everything is one hundred percent in your mind.

Mr. MacKenzie stated yes.

Alderman Roy stated in the eight years of the Amoskeag Small Business Incubator paid back and justified all costs.

Mr. MacKenzie stated I believe so, yes.

Alderman Smith stated from what I understand the Economic Development Office is supporting this, the Highway Department and the Planning Board is. I'd just like to talk about the storm drain...what guarantees we have because the parking deck will be over our storm drain. Are they going to make sure or are we going to make sure that they're responsible for this storm drain?

Mr. MacKenzie replied I know they have indicated their willingness but I would prefer to have Dennis Anctil who's much more familiar with those storm drains... Dennis is from the Highway Department and he could answer that better than I could.

Mr. Dennis Anctil, Design Engineer, stated we reviewed the plans for the original storm drain, which was put in the early 1970's as part of the Millyard development. So, it's relatively new pipe and it's a concrete pipe...it's not an old stone or brick pipe. We feel that it's an appropriate design for the parking deck where it does not sit right on the pipe and over the pipe we've had other situations where that's happened...so with an appropriate design you could protect the pipe. I know in their proposal they're saying that they would assume maintenance responsibility for the pipe and they would suggest that the pipe be inspected prior to that and I think that's a good idea...it's a 42" pipe so it's not too, too difficult to inspect it. So, you go into...could walk into it.

Alderman Smith asked how difficult would it be say 20 years from now to repair it with a deck being in place?

Mr. Anctil replied depending on if there were problems whether you could slip line it or something where you wouldn't have to excavate out at a place where you could repair it, could line it from the inside.

Alderman Smith stated you would cement line it inside.

Mr. Anctil stated it's a cement pipe now...you could slip line it with a couple of different processes...you could either put a plastic on each side or the resin pipe that goes inside. It's possible to do.

Alderman Roy stated Alderman Smith commented that the Planning Board and other departments were in favor of this...has anyone talked to the owner of the building between this parcel and the river, the sliver of 540 Commercial? I don't know, Bob, if you want to answer that.

Mr. MacKenzie replied I haven't...John Madden does own a little piece of the land that kind of juts from his property and that's where offices are. I did not speak with him directly but Brady Sullivan indicates that he is supportive of the project. I think they're going to help him because part of his retaining wall is falling down...where that road goes down in underneath the cat walk apparently they have committed to him that they're going to repair that at no cost to him because they both have a stake in making sure that retaining wall stays and it does belong to John Madden.

Alderman Roy stated Bob you made a statement earlier that there is no way to actually put a garage there...is that just space or cost that's prohibitive...could you expand on that comment.

Mr. MacKenzie stated basically the consultants said that with the limited foot print of the building that the ramping system would take up most of the floor area. So, you could get a couple, a few spaces on each level but it would not be cost-effective. It's not physically impossible, it just doesn't make any sense because the ramping system would take up a third or half of the entire floor plate of each ramp and therefore they did not recommend.

Alderman Roy asked is there anything the city could do with No. Commercial Street to assist in giving them enough space to make it possible?

Mr. MacKenzie stated for the decking.

Alderman Roy stated no for a garage. Once we put a deck in, once we approve this, which I'm in favor of adding parking...,so I'm at least going to vote for a deck. The problem I'm having is once we put a deck in there will never be a garage there and the more parking we can deliver to the Millyard the better off the Millyard and all the owners and tenants would be. So, I'm trying to find...to make sure that there's no creative thinking on the city side that someone will mention two years from now after this deck is constructed they could have created a garage in that location...is my line of questioning.

Mr. MacKenzie stated the deck that's going to be built will actually be level with Commercial Street and then they'll be a lower area below that. So, the only way to get another deck in the parking structure is to have a ramp up, a 10' ramp. So, realistically there's no other way to do that.

Alderman Long asked Bob when was the assessment on the parking garage taken...10 years ago, 8 years ago, five, two?

Mr. MacKenzie replied the analysis was done just a few years ago. I know Public Works has done a couple of studies but it was maybe just three years ago, I think, that they did a more detailed look at this particular site and they looked at several sites throughout the Millyard...they recommended a couple of sites as good sites but this one they did not recommend pursuing.

Alderman Long stated I know currently there are spiral staircases with spiral driveways with which you could drive up and park at any level. You don't need the whole turn in the garages as the current ones we have now. As Alderman Roy mentioned it's a good point...they're willing to invest \$1.5 million for one level to add 70 parking spots...they have over 800 employees of which they have parking for 300 plus spaces. It doesn't appear to me that this 70 new spaces is really going to solve a problem, it's going to help them with 70 more but it doesn't appear that it's going to solve the problem. With the investment of \$1.5 million I was sort of leaning with Alderman Roy with respect to is there some way to recoup...is there some way with which we could...some area with which we could build a garage utilizing this one and a half and doing joint ventures or consortiums with the rest of the owners to address the problem we have in the Millyard?

Mr. MacKenzie stated Paul Borek is here and could probably answer that but in the studies that have been done basically there's better locations in the Millyard to do parking. The Myrna Shoe lot is somewhat better than this site, PSNH owns land that could potentially support a garage, the Bedford lot and the Arms lot are more likely spaces for a parking garage than this particular location.

Alderman Roy asked where are we with ramping up to make this happen with respect to the Millyard parking problem. Where are we...we got a Parking Manager that will potentially be here in September and I'm hoping that we have a couple of proposals so that this manager doesn't have to start from square one.

Mr. Paul Borek, Economic Development Director, stated I can address that I believe. You might remember about six or eight weeks ago we held a parking summit for building owners and many of the businesses and listened and learned regarding their needs and concerns and also sought information regarding participation and we identified as Bob indicated some very good sites for parking structures...this was not one of them. This site is more convenient for a deck not unlike Pandora and Seal Tanning site as well...both are a little too small or cost-effective to build a multi-story deck. There are other locations that would make more sense for garages and I think we made a lot of progress with those initial meetings and I am confident that we will have some solid proposals in the very near future probably coinciding with the time that the Parking Manager will be coming in.

Alderman Long stated the near future is next week.

Mr. Borek stated possibly within a month or two.

Alderman Long stated within a month or two we'll have some concrete proposals you believe.

Mr. Borek stated I believe so.

Alderman Long stated that would be great.

Chairman Thibault stated my real question would be to Bob and Highway to make sure that the City is completely indemnified of any problems that may come up with this pipe that is in the ground whether it be 10 or 12 years or 15 years from now that the city is not liable to have to renovate this and rebuild that deck and whatever. So, I would just like to see the city's attorney and the departments to make sure that this city is indemnified of that...that's my biggest problem. Other than that, I would have no problem with it and if there's a motion to approve I would go along with it.

Deputy City Solicitor Arnold stated what I was going to suggest is I share your concern and I thought that if the Committee is of the mind to grant this request that they do it subject to the approval of the Highway Department and the City Solicitor's office so we can make sure appropriate agreements are in place.

Alderman Smith moved to approve the request subject to the recommendation of Deputy City Solicitor Arnold. Alderman Roy duly seconded the motion. There being none opposed, the motion carried.

Alderman Roy stated if I could make just one request for when this comes to the full Board that we do look at anything and every creative solution. The Bedford Street lot that's been discussed a number of times is only 833 feet away from where this deck is being built. As Alderman Long stated if there is something we can do as a joint venture that that would be very favorable if it is a size that would accomplish a lot of...ending a lot of parking restraints in the Millyard not just helping one landlord. I think this is a very good small step but it's time that we start looking at some very big steps. So, if there is something if you'd like to review with this landlord...if they'd be willing to do something larger 800 feet away I think that would be favorable and also if we could look at this site on our

GIS system the property boundary doesn't even include most of this parking on this site so if there is additional city lands that we could add to this to create that ramp way, to create a larger garage I'm sure that would be received fairly favorably at least by this Alderman. Thank you.

Mr. Borek stated we will do that.

TABLED ITEMS

7. Communication from Gerald Hebert, Sr., requesting to purchase Lots 246-3, 6 & 7 on Page Street between London and Bridge Streets.

This item remained tabled.

8. Communication from City Solicitor Clark enclosing a communication from the State of NH Department of Transportation requesting to purchase city land for the proposed Manchester Airport Access Road.

This item remained tabled.

9. Communication from Paul J. Borek, Economic Development Director, regarding the Ash Street School property on Bridge Street.

On motion of Alderman Long, duly seconded by Alderman Roy, it was voted to remove item 9 from the table for discussion.

Chairman Thibault asked Paul could you bring us up-to-date a little bit on this item.

Mr. Borek stated we have met several times with Amoskeag Industries and are circulating a draft agreement to market the property in conjunction with Amoskeag Industries and pursue its redevelopment. It's not quite ready at this point but we anticipate that being ready within a couple of weeks.

Alderman Roy stated I would ask that once that agreement is set between staff and Amoskeag Industries that we possibly receive a phone poll and that it's brought to the full Board at our July meeting since we probably won't meet in July as a

Committee that we start moving that along and if there are RFP's to go out for brokerage or whatever is contained in that agreement that we move forward and possibly get it to the full Board as soon as possible.

Mr. Borek stated we can do that.

Chairman Thibault asked Paul did I hear the Manchester Housing Authority was thinking about that building also. It seems to me I heard something in that vein.

Mr. Borek replied I'm not aware of that directly.

Chairman Thibault stated it's probably something you should look into and find out because I had heard some background rumors that they might be interested in that building...probably a good way to merchandise it.

Alderman Long stated with respect to Amoskeag Industrial and the Ash Street School does it appear that Amoskeag Industries is looking for some revenue with respect to taking themselves out of the picture or do they want to continue to be involved?

Mr. Borek replied no Amoskeag Industries wants to continue to be involved. Their history has been one of proactively investing their revenues and economic development projects in the city and in the downtown so they want to play perhaps an even more active role than they have in the past.

Alderman Long stated so they're an active party in whatever we decide to do with the Ash Street School...they would have to be on board with us and vice versus.

Mr. Borek stated yes.

On motion of Alderman Roy, duly seconded by Alderman Long, it was voted to retable item 9.

There being no further business to come before the Committee, on motion of Alderman Smith, duly seconded by Alderman Long, it was voted to adjourn.

A True Record. Attest.



Clerk of Committee

